

may be lawful for the said board of directors to demand and collect such toll from persons using said road as may be by them determined, in accordance with the rates imposed by the fourteenth section of this act, and in like proportions for a greater extent of road, and if any person or persons shall refuse to pay the toll at the time of offering to pass the place or places designated for the collection of tolls and previous to passing the same, the toll-gatherers respectively may refuse a passage to the person or person refusing to pay ; and if any person or persons shall pass or drive through, or pass or drive around said place any wheeled carriage or animal liable to toll without paying the same, he or they shall be liable to pay a fine of five dollars, which fine may be recovered by warrant before any justice of the peace of the county wherein such toll-gate or point of collection is situated, and if any person or persons shall drive or use any part of said road between the points designated for the collection of tolls, without paying the amount for which he or they may be liable, it shall be held that he or they are fraudulently using the same, and he, she or they shall be liable to pay a fine of five dollars, which may be recovered by warrant as hereinbefore prescribed.

Damage to
road, &c., pun-
ishable.

SEC. 16. *Be it further enacted*, That if any person or persons shall wilfully or maliciously injure, or in any manner hurt, damage or obstruct, or shall wilfully or maliciously cause, aid or assist, counsel or advise any other person or persons to injure, hurt, damage or obstruct the said plank road, toll-gate, toll-houses, or any of the property or effects of the company, such person or persons so offending shall be liable to be indicted therefor, and on conviction shall be imprisoned or fined at the discretion of the court before which said conviction shall take place.